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1fr 3627

PTO/SB/21 (08-00)

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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/074,427	
	Filing Date	02/11/2002	
	First Named Inventor	Srinivas Bette	
	Group Art Unit		
	Examiner Name		
Total Number of Pages in This Submission		11	
		Attorney Docket Number	

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Srinivas Bette
Signature	
Date	5/1/05 05/01/2005

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I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: EU097798696US			
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Appl. No. : 10/074,427
Applicant : Srinivas Bette
Filed : 02/11/2002
TC/A.U. : 3627
Examiner : James S. McClellan

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

<p align="center">CERTIFICATE OF MAILING (37 CFR 1.8a)</p> <p>I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail and in an envelope addressed to: Commissioner for Patents, , P.O. Box 1450, Alexandria, VA 22313-1450.</p> <p align="center">SRINIVAS BETTE</p> <p align="center">(Printed or typed name of person mailing paper)</p> <p align="center"></p> <p align="center">(Signature of person mailing paper)</p> <p>Date: <u>5/1/05</u></p>
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Transmitted herewith is an Amendment A for filing in the above-identified patent application.

The fee has been calculated as shown below:

	Claims Remaining After <u>Amendment</u>		Highest No. <u>Previously</u> <u>Paid</u>		<u>Present</u> <u>Extra</u>	Small Entity <u>Rate</u>	Additional <u>Fee</u>
Total	13	-	20	=	0	\$ 9.00	\$0
Claims							
Indep.	2	-	6	=	0	\$43.00	\$0
Claims							
						TOTAL	\$0

Respectfully submitted,

Date: 5/1/05


Dr. Srinivas Bette



Appl. Ser. No. : 10/074,427
Confirmation No.
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Mail Stop RCE
Commissioner for Patents
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<p style="text-align: center;">CERTIFICATE OF MAILING (37 CFR 1.8a)</p> <p>I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail and in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.</p> <p>_____ Srinivas Bette (Printed or typed name of person mailing paper)</p> <p>_____ (Signature of person mailing paper)</p> <p>Date: <u>5/1/05</u></p>

AMENDMENT B

Sir:

Pursuant to a Request for Continued Examination filed concurrently herewith, please amend the above-identified application as follows:

Letter to Examiner begins on Page 2 of this paper

Amendments to the Claims are reflected in the listing of claims which begins on page 3 of this paper.

Remarks/Arguments begin on page 8 of this paper.

Dear Mr. McClellan:

In addition to an official response, I wanted to personally communicate and seek advice on how to meaningfully progress this application. I feel there is a gap in my understanding of what we are presenting in terms of the innovation in these claims and your perception of the same in light of the references cited.

I do strongly believe that we have some key ideas which are innovative. One, the engineering design itself considers probability distribution functions for parameters such as load and strengths of material. This is not done in any of the prior art because it is new. Second, the use of economic parameters and market parameters for optimizing the design is unique. No one to date has done this. The key here is that the product design will be different based on these constraints. Third, all of these new design methods, optimization formulations, market data of distributions and economics come together in a usable web-based computer system. It is impossible to do this without these web systems.

I have read Kim's patent and find that they have taken an existing design methodology for shallow burial concrete pipes, which is widely used in the industry and provided a user interface based computer system. The benefit may be ease of use and speed, but not in terms of design. Theirs is a static design, no risk distribution based design, no live market data integrations and no optimization of design. Demmer doesn't integrate with procurement systems to obtain different design outcome. Demmer's computer system is a project management and scheduling system which includes scheduling of material procurement necessary for the manufacturing, which is a common engineering design, procurement and construction process. In Demmer's system, the design is already completed or fed into by customer requirements. The market place economic, engineering, timing data does not influence the design. Hence, what we claim is fundamentally different.

So, as you can see I am at a loss. I am not certain how else to present this innovation and claims to be made acceptable. Hence, I respectfully seek your advice.

We have amended some of the claims to speak specifically to your objections. My general remarks will largely speak to your specific objections with examples of how our innovation is different and new.

Yours truly,



Dr. Srinivas Bette'